

Annual Report 2010 - 2011



Reconnecting with Our Roots.



SASKATCHEWAN
HUMAN RIGHTS
COMMISSION

SASKATCHEWAN HUMAN RIGHTS COMMISSION

Our Mission

To promote and protect the individual dignity, fundamental freedoms and equal rights of Saskatchewan citizens.

Our Mandate

- Discourage and eliminate discrimination
- Investigate and resolve discrimination complaints quickly and effectively
- Support and seek remedies for individuals and groups who suffer discrimination
- Promote, approve and monitor equity programs
- Promote research and education strategies to advance the principles of equality and diversity, and to encourage understanding of human rights issues
- Promote leadership on human rights related public policy development and implementation
- Promote advances in human rights legislation and protection

Our Visual Identity

Our visual identity captures the meaning and focus of our work. Graphically, it represents two intersecting (=) symbols that form a shelter under which the basic human rights of every Saskatchewan citizen are protected.

Its colours represent the three levels of human rights legislation and jurisdiction that provide this protection. The colours Green and Gold represent the Province of Saskatchewan and its Bill of Rights. Red represents Canada and the Canadian Charter of Rights and Freedoms. And, Blue represents the United Nations and the Universal Declaration of Human Rights.

Together, these pieces of legislation define and protect the rights of every Saskatchewan citizen and inform our work everyday.



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- Promote leadership in human rights related public policy development and implementation
- Promote advocacy of human rights legislation and protection

Our Visual Identity

Our visual identity is derived from the following list of key words. Synthesizing these words into two intersecting arcs creates the logo, a circle under which the human rights of every Saskatchewaner are protected.

An colours represent the three levels of human rights protection and enforcement that provide this circle logo. The colour Green and Gold represent the Province of Saskatchewan, Guardian of Rights. The colour Red represents the Canadian Charter of Rights and Freedoms, and the colour Blue represents the United Nations and the Universal Declaration of Human Rights.

Together, these words of key status define and protect the rights of every Saskatchewan citizen and future generations today.



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SASKATCHEWAN HUMAN RIGHTS COMMISSION

Letter of Transmittal

The Honourable Don Morgan, Q.C.
Minister of Justice
Legislative Building
Regina, Saskatchewan

Dear Minister Morgan,

In accordance with section 49 of The Saskatchewan Human Rights Code, it is my privilege to submit to you the 2010-2011 annual report of the Saskatchewan Human Rights Commission.

This report reflects the activities of the Commission from April 1, 2010 to March 31, 2011.

Sincerely,

Judge David M. Arnot
Chief Commissioner

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Message from the Chief Commissioner

Events across the Middle East and north Africa remind us that the fight for human rights and dignity continues. Those of us in free and democratic societies often forget that many of our world's populations live without the basic human rights we enjoy. We are lucky and often take our rights for granted.

Although our rights and freedoms are well established, they are fragile and should command our constant vigilance and care. In Saskatchewan, and across Canada, we share a collective responsibility to protect and promote these rights wherever we can, perfect the legislative systems through which these rights are defined and defended, and educate future generations on the democratic values, rights and responsibilities that come with citizenship.

This was our focus through 2010.

PROMOTING AND PROTECTING HUMAN RIGHTS

The total number of complaints by ground rose 17% from 220 to 258. Nearly half of these files were complaints from persons with disabilities. By sector, over 75 percent of complaints came from the employment sector with the remaining from housing, public services and other areas. We continue to respond and act quickly on complaints of discrimination in all its forms – working equally hard to raise awareness and educate others in an effort eliminate discriminatory practices in the first place.

PERFECTING AND MODERNIZING THE SYSTEM

Based on the feedback of stakeholders and our own recommendations for change, the Province passed groundbreaking legislation to expedite the resolution of complaints of discrimination and give us new tools to resolve complaints through directed mediation – resorting to formal litigation only when necessary. Importantly, we now have a clear legislative mandate to continue our work in systemic advocacy on issues that affect multiple persons or groups.

PREPARING THE NEXT GENERATION

At an early age, our children should know that every one of their rights comes with responsibilities to respect and protect the rights of others. We believe some form of citizenship education is needed in our classrooms and, as part of our renewed legislative mandate, we have opened a dialogue with the Saskatchewan School Boards Association, the Saskatchewan Teachers Federation, the Ministry of Education and educators to create a citizenship education program focusing on the new 3-R's: rights, responsibilities and respect for differences.

To move on these fronts, we renewed relationships with key stakeholders and those who provide direct service and advocacy for marginalized people in our community. Renewing these relationships and reopening channels of communications was as enlightening as it was energizing. This year, we reconnected with our roots – something we will continue to do through 2011 and beyond.

Perhaps the most visible and tangible sign of our renewal is our new visual identity. Our new logo captures the meaning and focus of our work. It also signals a change in approach and deep commitment to revitalize and modernize the Commission for a new generation of Saskatchewan people.

Saskatchewan boasts a proud legacy of leadership and innovation in the legislation and administration of human rights. As stewards of this legacy, we have a responsibility to protect and promote our human rights and those of our fellow citizens, and to perfect the systems that give them definition, meaning, and relevance for every one of us.

David Arnot

Chief Commissioner



Community Relations



Left to right: Chief Commissioner Arnot, Chief Weighill, Martin Nyai, Cantor Neil Schwartz, Rezai Zahra, Eleanor Shia, Open Door Society of Saskatoon, at Saskatoon Police Service breakfast to commemorate the International Day for the Elimination of Racism and Discrimination, March 23, 2011.



Mayor Atchison, David Walden, Secretary General (Canada) UNESCO, Chief Commissioner Arnot, Michael San Miguel, Chair of Cultural Diversity & Race Relations Committee, raise the cultural diversity flag in front of city hall for the launch of race relations month in Saskatoon, on March 1, 2011.



Rachelle Hosak, Youth Coordinator, Chief Commissioner Arnot, Gloria Mahussier, Vice President, Saskatchewan Association for Community Living at the first annual disability Expo, December 3, 2010.



Left to right: Heather Fenyes, President of the Congregation Agudas Israel, Ron Gitlin, Co-chair of Holocaust Memorial Committee, Regine Frankl, keynote speaker and Holocaust survivor, Jan Gitlin, Co-chair of Holocaust Memorial Committee, Judge Arnot at the Yom Ha' Shoah Holocaust Memorial Service, April 18, 2010.

RACE RELATIONS MONTH

Every year the City of Saskatoon, sets aside the month of March as Cultural Diversity and Race Relations Month, beginning with a ceremony in city council chambers on March 1st to launch the month long festivities. Chief Commissioner Arnot was pleased to bring greetings along with Mayor Atchison, David Walden, Secretary General of the Canadian Commission for UNESCO, Michael San Miguel, Chair of Cultural Diversity and Race Relations Committee. Chief Commissioner Arnot also enjoyed meeting and congratulating the recipients of the City of Saskatoon's Living in Harmony Awards which were held on March 21st at Tommy Douglas High School. The month long activities ended with the Chief Commissioner and commission staff enjoying the Saskatoon Police Service's breakfast to commemorate the International Day for the Elimination of Racism on March 23rd.

DISABILITY EXPO

The Saskatchewan Human Rights Commission congratulates the Saskatchewan Association for Community Living on the success of their first annual disAbility Expo held in Saskatoon on December 3rd, 2010, the International Day for People with Disabilities. Chief Commissioner Arnot was honoured to be the keynote speaker for this special event. The United Nations General Assembly set aside this day in 1982 to recognize the need to change attitudes towards persons living with disabilities and eliminate barriers that keep them from participating in all areas of life.

HOLOCAUST MEMORIAL SERVICE

Regine Frankel, a Holocaust survivor spoke to 2000 local and rural students during her 4 day visit to Saskatoon. During her presentation at the Holocaust Memorial Service, she warmed the crowd with her graciousness, honesty and honour. All present felt privileged to listen and learn.

Chief Commissioner Arnot responded to the keynote speaker by reminding the audience that the Saskatchewan Human Rights Commission and all Human Rights Commissions owe their existence in part to the World's response to the Holocaust embodied in the Universal Declaration of Human Rights. He commented on the courage she demonstrated in telling her story of survival. He stated, "It is our duty to remember her story and to challenge ignorance, disrespect, malice and hate when we see it or hear it. That is our collective responsibility."

50TH ANNIVERSARY OF THE CANADIAN BILL OF RIGHTS

The 50th Anniversary of the enactment of the Canadian Bill of Rights occurred on July 1, 2010. Chief Commissioner Arnot spoke at a Special Commemoration Event held September 10, 2010 at The Diefenbaker Centre to recognize the foundational importance of that legislation in the evolution of human rights protection for Canadian citizens.



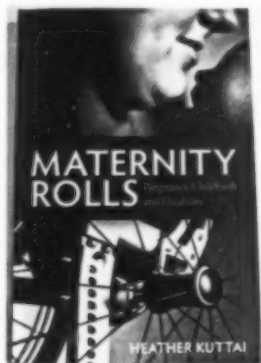
Community Relations



Saskatchewan's native son, Prime Minister John G. Diefenbaker was the driving force in creating the Bill of Rights. He first dreamed of implementing this legislation as a lawyer in Wakaw Saskatchewan in the 1920's.



Judge Arnot with Margaret Cuddington and Todd Lumbard, President of the Canadian Club of Regina, May 2010. Ms. Margaret Cuddington



Heather Kuttai's book, "Maternity Rolls, Pregnancy, Childbirth and Disability," 2010.

The occasion was attended by various dignitaries and U of S representatives including Director of the Diefenbaker Canada Centre Director, Michael Atkinson, University Secretary, Lea Pennock, and Special Advisor to the President of the University of Saskatchewan, George Lafond.

The Diefenbaker Centre opened a comprehensive Museum display for the public at the University of Saskatchewan to recognize this historic milestone.

CANADIAN CLUB OF REGINA

Chief Commissioner Arnot addressed the Canadian Club of Regina in May 2010 in a speech entitled "Rethinking the 3 R's: Rights, Responsibilities, Respect for Differences."

He outlined the genesis of a new direction for the Commission based on a "Four Pillar Business Plan" with the goal of being an exemplary model for Canada. This model envisions the retention of our own best practices and incorporating current best practices from across Canada.

The Four Pillars were identified as:

1. Continued support for our own best practices of effective complaints processing including investigation, prosecution of complaints as well as performing the gatekeeper role in the litigation process.
2. The adoption of the Manitoba best practice of mediated settlements and dispute resolution that avoids full scale expensive litigation.
3. Further development of the Ontario best practice of systemic advocacy. This approach facilitates, more broad-based changes to discriminatory systems affecting many people, rather than simply focusing on an individual complaint based model.
4. Creating a broad understanding of the Rights, Responsibilities and Respect that come with citizenship through the development of a strategic pedagogy for citizenship education in the pre K-12 provincial school system. This preventative education focus seeks to foster an understanding of the importance of human rights in the lives of Canadians.

MATERNITY ROLLS, PREGNANCY, CHILDBIRTH AND DISABILITY

Heather Kuttai has accomplished a great deal in her unique life. She suffered a pediatric spinal cord injury at age 6. She balances multiple roles as a spouse, a mother, and a champion for people with disabilities. She is a Paralympic Medalist for Canada.

She chronicled her personal story and gave a comprehensive compelling perspective in her book "Maternity Rolls".

She has faced life threatening surgeries and triumphed. Her remarkable optimistic outlook is a case study in overcoming challenges. Her book gives the able bodied person a chance to see and understand the world through her lens.

The Saskatchewan Human Rights Commission believes that education creates understanding. To that end, the Saskatchewan Human Rights Commission purchased and donated 100 copies of "Maternity Rolls" for distribution in the provincial library system. The book is available in each of the provinces ten library regions.



Community Relations

06



Métis Elder, Nora Cummings and Métis Nation-Saskatchewan President Robert Doucette, celebrate with Premier Brad Wall after the Métis sash was presented to the Speaker of the Legislative Assembly, November 30, 2010.

THE ABORIGINAL COMMUNITY

Commissioner Arnot and community members from across Saskatchewan share a historic moment, in the Saskatchewan Legislature. A specially designed Métis sash was presented to the speaker of the Legislative Assembly, Don Toth by Métis Elder Nora Cummings and President Robert Doucette. The sash was placed on the table in the Legislative Chamber, alongside the First Nations' beaded mace runner and beaver belt pillow that the mace rests on each time the house sits. The celebration was fitting since 2010 was proclaimed by the government as the Year of the Métis, which is also the 125th Anniversary of the Northwest Resistance. The Saskatchewan Human Rights Commission and the province recognize the significant role Métis and First Nations role have played and continue to play in our province.



Left to right: Val Arnault, Monica Goulet, Sasipenita President, Chief Commissioner Arnot, Louise Halle, artist and exhibitor at the opening of the Sasipenita Women's exhibit, March 2011.

SASIPENITA WOMEN'S EXHIBIT

The Commission congratulates, Sasipenita on the opening of the "Recognition of Place: Strength and Endurance of Aboriginal Women" exhibit at Wanuskewin Heritage Park. Chief Commissioner Arnot attended the opening of the exhibit, which was hosted by the Honourable Lieutenant Governor Dr. Gordon L. Barnhart. The exhibit focuses on the significant place women have in First Nations and Métis Culture. It was created by Sasipenita to counter negative stereotypes and to positively influence how First Nations and Métis peoples are viewed.



Saskatchewan Human Rights Commissioner Professor Judy White and Constable Jing Xiao of the Saskatoon Police Service enjoying the celebration of National Aboriginal Day in Saskatoon's Friendship Park on June 21, 2010.

NATIONAL ABORIGINAL DAY

Every year on June 21st, Commission staff in Regina and Saskatoon, enjoy taking part in the National Aboriginal Day festivities. The day starts off with a Grand Entry and continues all day long with free local entertainment. One of the highlights of the day for residents in both cities is a delicious free lunch with bannock and jam, homemade soup, watermelon and cake. This year's 2010 National Aboriginal Day, also honoured the, Year of the Métis.

EMPLOYMENT EQUITY HIGHLIGHTS

This year Equity Reports contained many success stories about the 'how' of growing a representative workforce. Reports highlighted innovations and positive practices including mentorship, support systems, career pathing, anti-racism workshops, dedicated human resource professionals tasked with hiring and retaining equity staff, policy and practice reviews for cultural bias and partnerships with businesses and communities while working toward statistical representation of the Saskatchewan population at all levels in the workplace. Many equity employers have made solid progress in their equity plans and should be congratulated for their hard work and achievements. The most significant gains include the representation of Aboriginal employees, women in management roles and visible minority employees across the workforce.

Moving beyond this progress, the Commission worked with equity employers to duplicate this success by applying the same innovative and focused efforts to the success of all equity groups. At one time, women were the only equity



Community Relations



Chief Commissioner Arnot presents a framed "One Human Family" poster to Ms. Van Hesteren's Grade Twelve Baccalaureate students at Campbell Collegiate School in Regina, May 2010.



Grades Seven and Eight Students of St. Francis School with their teacher Ms. Trudell at the first reading of Bill 160 at the Saskatchewan Legislature, November 29, 2010.



Left to right: Principal Honya Olson, Hanan Elbardouh, Islamic Association of Saskatchewan (Saskatoon Branch), Chief Commissioner Arnot, Elie Fenyas, Heather Fenyas at the commemoration day ceremony for Raoul Wallenberg, at Ecole College Park School in Saskatoon, January 2011.

group fully represented in select professions. The situation has changed. There are now times employers must refrain from using equity's special measures because they have met representative levels. This is indeed progress with nineteen employers having overall equity representation.

With a strong network of equity and community partners, the SHRC's equity program helps employers achieve success in building a representative workforce. As equity employers close the gap between goals and performance, the next challenge will be to reduce the gaps at all occupational levels. Clearly, employment equity is a proven strategy that works. In 2010-2011, Employment Equity remains an invaluable tool for people who experience barriers to employment, for employers to take full advantage of the knowledge and skill available to them in the Saskatchewan labour force and for the province in creating an economy of equality, inclusion and respect.

THE EDUCATION COMMUNITY

In 2010-2011, the Commission continued to expand on its partnerships with the education community in Saskatchewan. Chief Commissioner Arnot was busy visiting and presenting a framed "One Human Family" poster to several schools in Saskatoon and Regina. The Chief Commissioner's presentation of the framed poster was a way of recognizing and congratulating the schools on their commitment to providing a welcoming educational environment for an ever-growing diverse community.

Section 47 of the Saskatchewan Human Rights Code, authorizes the Commission to approve education equity programs, designed to prevent, reduce or eliminate disadvantages experienced by groups of individuals because of a prohibited ground of discrimination. Education equity partners may choose to focus their efforts on one or more equity groups. In particular, education equity partners have shown their commitment to education equity by establishing Cree language and culture programs, recruitment, retention and promotion of Aboriginal teaching and non-teaching staff and establishing partnerships with tribal councils to name a few initiatives.



SASKATCHEWAN HUMAN RIGHTS COMMISSION

08

114

Number of one-on-one meetings held with stakeholders this year.

185

Number of new complaints filed in 2010.

76%

Percentage of 2010 complaints related to employment issues.



\$0

Cost to complainants through the litigation process up to and including hearings before the Supreme Court of Canada.

Number of telephone, internet, and in-person inquiries received in Saskatoon and Regina.

2,199





SASKATCHEWAN HUMAN RIGHTS COMMISSION



SASKATCHEWAN



1947

09

The year Saskatchewan adopted the first Bill of Rights in North America. In 1960, Saskatchewan's own Prime Minister John Diefenbaker would introduce Canada's first Bill of Rights – precursor to the Canadian Charter of Rights and Freedoms.

15

Number of exemption orders granted in 2010. Section 48 of *The Saskatchewan Human Rights Code* gives the Chief Commissioner the authority to grant exemptions from the anti-discrimination provisions of the Code in situations where it is considered "necessary and advisable".

Percentage of files settled at some point in the complaint process

32%

40

Number of complaints withdrawn after filing.

The people we serve: citizens of Saskatchewan.

1 million+



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Complaints Resolution

The SHRC processed 185 new complaints in 2010-11, down slightly from the previous year.

Complaints from new Canadians accounted for one third of all complaints filed this year. This represents a significant rise in complaints from new Canadians over the past five years and corresponds with government's increased efforts to attract new Canadians. The Commission has identified racism in employment as a growing area of concern for complaint processing and as a topic on which to focus public awareness.

Other protected grounds of note include disability complaints at 47% of the total number of complaints, and gender discrimination complaints at 16.8%. Disability complaints account for almost half of the complaints received by the Commission, a trend that is matched by other human rights commissions across the country. Many of the disability-related complaints correspond with an employer or service provider's legal duty to reasonably accommodate employees and members of the public. Recent changes in the law require employers in particular to ensure they are meeting a high standard of accommodation and also require cooperation from unions in meeting those standards.

In the gender category, pregnancy discrimination continues to be a major concern for the Commission. One in ten complaints filed with the Commission come from women who have been denied employment because they were pregnant, had their employment terminated when they applied for maternity leave, or were not allowed to return to work after a maternity leave. Employers should be aware that both *The Saskatchewan Human Rights Code* and *The Labour Standards Act* protect a woman's right to take time off to have children and raise a family.

Seventy-six percent of the complaints received by the Commission fall in the area of employment, with 10% and 9% respectively coming in the areas of the provision of public services and rental housing.

In terms of complaint resolution, more files are now settling during the investigation/mediation stage than are going through the entire investigation process. The Commission views it as a positive development when

complainants and respondents can sit down and work out their issues. The Commission employs highly qualified mediators and facilitators to assist the parties in this resolution process.

GUIDELINES FOR ACCOMMODATING HOTEL PATRONS WITH SERVICE ANIMALS

The Saskatchewan Human Rights Commission encourages the negotiated settlement of complaints at all stages of the complaint process. Frequently, a settlement will include and place policies and other measures to prevent discrimination from re-occurring.

The following policy guidelines were adopted by a Saskatchewan hotel as part of the settlement of a complaint by a blind patron.

The *Saskatchewan Human Rights Code* requires the accommodation of persons with disabilities, including persons who are reliant on service animals.

The needs of a person with a disability must be accommodated in a manner which most respects the person's dignity and which recognizes the privacy, confidentiality, comfort, autonomy, and self-esteem of persons with disabilities. The accommodation should maximize the person's ability to participate in society. Persons with disabilities frequently use "working dogs" as service animals. Working dogs are trained to provide services from guidance for a person who is blind or to pick up small items that may have been dropped and are not retrievable by the handler/partner. Some examples of working dogs are given below:

- A Guide Dog is a trained dog that serves as a travel tool for persons with severe visual impairments or who are blind or have low-vision.
- Hearing Dog is a dog that has been trained to alert a person with significant hearing loss, or who is deaf, when a sound such as a knock on the door occurs.
- Service Dog is a dog that has been trained to assist a person who has a mobility or health impairment. Types of duties the dog may perform include: carrying, fetching, opening doors, ringing doorbells, activating elevator buttons, steadying a person while walking, helping a person up after the person falls, etc. Service dogs are sometimes called Assist Dogs.



Complaints Resolution

- SSigDog is a Social Signal Dog trained to assist a person with autism. The dog may alert the partner to distracting repetitive movements common among those with autism, allowing the person to stop the movement (e.g., hand flapping). Recognizing familiar persons in a crowd, steering around a mud puddle, responding to other people or social signals are possible roles for SSigDogs. A person with autism may have problems with sensory input and need the same support services from a dog that a dog might give to a person who is blind or deaf.
- Seizure Response Dog is a dog trained to assist a person with a seizure disorder. How the dog serves the person depends on the person's needs. The dog may stand guard over the person during a seizure, or the dog may go for help. A few dogs are capable of predicting a seizure and can warn the person in advance.

This organization is committed to accommodating persons with disabilities who rely on working dogs for support, and asks staff members to observe the following guidelines:

- Allow a working dog to accompany the guest or visitor at all times except where animals are prohibited for safety reasons.
- Do not separate or attempt to separate the person from the working dog.
- Do not pet or talk to a working dog when it is working – this distracts the animal from its tasks.
- Do not feed a working dog, which may have specific dietary requirements. Unusual food or food at an unexpected time may cause the animal to become ill.
- Do not deliberately startle a working dog or make noises at the animal (barking, whistling, etc.).
- Be aware that many people with disabilities do not care to share personal details.
- Working dogs are an exception to the “no pets” rule because they are working animals rather than pets. Compliance with the Saskatchewan Human Rights Code requires the admission of working dogs to business premises.
- Ensure that guests who rely on working dogs receive the same amenities as other guests including the right for non smoking guests to have non smoking accommodation.



Settlements

The following is a sample of settlements reached in 2010-2011.

Sex (Pregnancy)

JOB LOSS DUE TO PREGNANCY

An employee alleged that shortly after she informed her employer that she was pregnant, her employer informed her that she did not want to take the time to train her due to her pregnancy, that if she was not pregnant none of this would be of issue. The employee was terminated approximately one month after her six month evaluation. In settling the complaint, the respondents agreed, without admitting to any liability, to pay the complainant \$5,000 for injury to feelings arising from the termination.

Disability

STRESS-RELATED DISABILITY REQUIRED ACCOMMODATION

An employee had a stress-related disability which required accommodation. The employee took a discretionary day off and claimed that he was reprimanded for requesting this day off. A few months later, he required a further medical leave. The employee claimed that he was told by the employer to either return to work prematurely or be terminated. Because he was on a medical leave, his employment was terminated. Without admitting liability, the employer agreed to pay the complainant \$10,744 for lost wages and benefits, as well as \$3,000 for compensation.

STUDENT WITH LEARNING DISABILITY

A post-secondary student with a learning disability required accommodations in the classroom. She alleged she was informed when she registered for classes that a learning disability was not considered a valid medical condition and as such would not be granted any privileges. During the educational program, the student said she was subject to negative comments about her disability and told not to use her disability as an excuse. The complaint was settled without any admission of liability by either party. The respondent agreed to pay the complainant \$5,000 as compensation for injury to feelings for the incidents.

SHORT STATURE REQUIRED ACCOMMODATION

A person of short stature attended a job interview as a customer service representative and declared a need for accommodation. She claimed that an offer of employment was made. She alleged that the employer made the job offer conditional on her having an accommodation assessment. Before the anticipated start date, the offer was rescinded and the applicant was not hired. In settlement of the complaint, the employer agreed to meet with applicants to discuss the accommodation process and to provide a written description to applicants of duties and physical demands of the job. Without admitting any liability, the employer agreed to pay the complainant \$500 to settle the matter.

TERMINATION WHILE ON MEDICAL LEAVE

An employee alleged his employment was terminated while on a medical leave. His employer maintained that the termination was a misunderstanding; they understood that he resigned. The parties negotiated a return to work to his former position, as well as \$2,500 compensation for damage to dignity, feelings and self-respect.

Ancestry

HARASSMENT OF ABORIGINAL EMPLOYEE

An Aboriginal employee alleged that he was subjected to racial harassment by his supervisor. The employee claimed that negative comments were made about government spending on First Nations people and that "...white people should no longer be responsible for taking care of the Indians." The employee's supervisor allegedly made derogatory comments directed specifically at him which left the employee no choice but to leave his employer. In leaving his employment, the Aboriginal employee provided his supervisor with a letter of the reasons that he quit, one of which included a poisoned work environment. In settlement, the respondent agreed to provide all employees with harassment prevention and respectful workplace training and to follow-up on this with employees. The parties agreed to \$1,108 in compensation to settle the complaint.



Settlements

Sexual Harassment

SEXUAL HARASSMENT BY SUPERVISOR

A female employee claimed she was subject to sexual advances from her supervisor. She said that a sexual comment was made by the supervisor to her within a confined space and that the supervisor exposed his genital area to her. The employee claimed that as a result of rejecting these advances, her position was terminated by the employer. Without admitting to any liability, the parties agreed to \$3,000 in compensation and the respondent agreed to provide a letter of work reference to the complainant based on her merits.

Gender

GENDER DISCRIMINATION IN THE CONSTRUCTION INDUSTRY

A female employee worked in the construction industry. She alleged that her male counterparts, who were less senior than she, were paid more. The female employee was also differentially treated when she requested a canopy on the equipment that she operated and found that one had been ordered; however the female employee was surprised when she realized that the canopy had been sent to a different crew. The complainant settled the complaint with the employer respondent when they offered \$2,000 for injury to feelings.

Family Status and Sex

ADULTS-ONLY APARTMENT

A couple was living in an apartment when, following the birth of their baby, they were told that they would have to move out because the building was 'adults-only'. Formal notice was provided to the couple twice. As a result of the complaint, the property managers agreed to consult with the Saskatchewan Human Rights Commission to ensure their lease requirements comply with *The Saskatchewan Human Rights Code*. The couple agreed to \$880 as compensation for one month's rent. In addition, the building owners waived collection of damages that they claimed were the responsibility of the tenants.

Sexual Orientation and Disability

DEROGATORY COMMENTS TO A HOMOSEXUAL EMPLOYEE

A homosexual employee alleged differential treatment at work when his direct supervisor made derogatory comments such as "little fagot," and when he suggested

that he was involved in "sexual deviant behavior."

The employee also alleged that a new manager called him a "fag" verbally and in emails. A human resources specialist in the company became involved when the employee inquired into why he was not being considered for various jobs he had applied for. The employee claimed that the human resource specialist told him, "Just because you're a fag doesn't mean you will get the job." The employee said that he required a medical leave and was also treated differentially while on this leave. In settling this complaint, the respondent did not admit to any liability but nevertheless provided the complainant with \$4,000 dollars for injury to feelings.

Ancestry and Housing

RENTAL APPLICATION MORE CHALLENGING FOR ABORIGINAL TENANTS

An Aboriginal woman with a positive reference claimed that a property management company denied her applications for housing without explanation. She said she was aware of other family members who had been refused by the same property management company. The complainant and property management company met with a Commission mediator and agreed to settle the complaint with the company making a commitment to provide assistance to future Aboriginal applicants and to welcome the assistance of community agencies who might assist in processing such forms.

**Grounds of Discrimination**

Percentages of files opened in the 2010-11 fiscal year

Mental Or Physical Disability	35.6
Sex/gender	19.9
Ancestry	29.5
Age	5.4
Religion	1.9
Marital Status	2.3
Family Status	3.2
Sexual Orientation	2.7
Receipt Of Public Assistance	0
Retaliation	0



Legal Activities

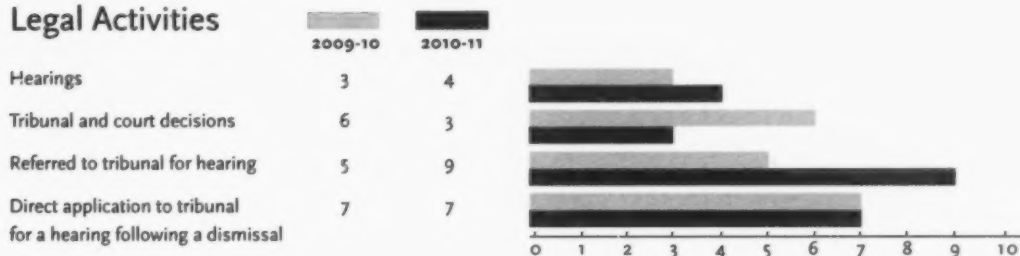
Seeking Individual Redress and Broad, Positive Change

The goals of *The Saskatchewan Human Rights Code* are to promote equality, remedy individual acts of discrimination, and prevent discrimination from occurring. The work of the Legal Unit can involve all three goals, often in the same case. A complaint is typically an individual claim for protection from discrimination, but it may also reduce and prevent discrimination by setting a legal precedent or by clarifying human rights legislation and its commitments about how we want to live together.

In 2010-2011, the SHRC was involved in two important cases seeking to define the fundamental scope of human rights protections. *The Reference on The Marriage Act* considered the constitutionality of proposed amendments to *The Marriage Act* which would have permitted civil marriage commissioners to deny the right to a civil marriage to certain persons, notwithstanding any of the *Code's* protections. The SHRC also received leave to appeal the Court of Appeal decision in *Whatcott v. Saskatchewan (Human Rights Tribunal)* to the Supreme Court of Canada, which will consider the constitutionality of *Code* provisions prohibiting hate propaganda.

Positive, systemic change can be achieved through the negotiated settlement of complaints as well as through litigation. One of the settlements described below resulted in amendments to *The Vital Statistics Act* which recognized same-sex and non-biological parents. In another settlement, a Saskatoon hotel developed detailed policy guidelines aimed at preventing discrimination against blind persons accompanied by working dogs.

Legal Activities



Court of Appeal Upholds Human Rights Protections

Saskatchewan (Marriage Act, Marriage Commissioners) (Re), Saskatchewan Court of Appeal, January 10, 2011

In January 2011, the Saskatchewan Court of Appeal declared proposed changes to *The Marriage Act*, 1995 to be unconstitutional because they violated the *Canadian Charter of Rights and Freedoms* and could not be justified as a reasonable limitation on equality rights. The proposed changes would have allowed marriage commissioners to refuse to perform civil marriages which were inconsistent with their religious beliefs.

Events leading up to the decision began with a complaint to the Commission in 2005 when a marriage commissioner refused to perform a civil marriage for an applicant because his partner was another man. Civil marriages are frequently the only option for same-sex couples, because courts have held that religious officials may refuse to marry people because of their sexual orientation. The complainant in *M. J. v. Nichols* said the experience was devastating: "I couldn't believe that as a human being I wasn't going to be treated as a real person."

The SHRC referred the complaint to a hearing, taking the position that Mr. Nichols' refusal conflicted with his duties as a public official to provide a statutory service in a non-discriminatory way. The complaint was upheld by the Saskatchewan Human Rights Tribunal and Court of Queen's Bench and was in the process of being appealed to the



Legal Activities

Court of Appeal when the government drafted changes to *The Marriage Act* and asked the Court of Appeal to comment on whether they were consistent with the *Charter*.

In finding the amendments to be unconstitutional, the Court referred to the "historical marginalization and mistreatment of gay and lesbian individuals" and concluded that the proposed changes would "perpetuate disadvantage and involve stereotypes about the worthiness of same-sex unions." It said the amendments would cause genuine, personal harm to the persons being refused service as well as harm to their friends, families and communities, and would undermine the fundamental principle that the state serves everyone equally. The Court noted that *The Marriage Act* did not affect the freedom of marriage commissioners to hold religious beliefs or worship as they chose. It said marriage commissioners do not act as private citizens when they discharge their official duties. They serve as agents of the Province, and their root obligation is to solemnize civil marriages in keeping with how the concept of marriage is legally defined from time to time. The Court stated: "It would be a significant step backward if, having won the difficult fight for the right to same-sex civil marriages, gay and lesbian couples could be shunned by the very people charged by the Province with solemnizing such unions."

The proposed amendments stated that they would apply "notwithstanding *The Saskatchewan Human Rights Code*," and the Court described the use of such a broad override of the *Code* as extraordinary and unprecedented. It noted the negative precedent which the proposed amendments might set, stating "... if the proposed legislative amendments were constitutionally acceptable, so too would be virtually any legislative provision protecting individual discrimination in the delivery of services to same-sex couples, in either the public or the private sector, on the basis of religious disapproval of a same-sex lifestyle."

Following this decision, the respondent in *M.J. v. Nichols* withdrew his appeal to the Court of Appeal.

Words That Maim – Supreme Court Will Consider Limitations on Hate Propaganda

***Whatcott v. Saskatchewan (Human Rights Tribunal)*, Saskatchewan Court of Appeal, 25 February 2010**

The Supreme Court of Canada has granted the Commission leave to appeal the decision of the Saskatchewan Court of Appeal in *Whatcott v. Saskatchewan (Human Rights Tribunal)*. The appeal will be heard on October 12, 2011.

William Whatcott, a member of the Christian Truth Activists, prepared and disseminated throughout Saskatchewan four flyers in late 2001 and early 2002 expressing anti-gay beliefs and referring to gay and lesbian persons as "sick, pedophiles and predatory." Four individuals complained to the Commission that these flyers contravened section 14(1)(b) of *The Saskatchewan Human Rights Code*, which prohibits the publication of hate propaganda "that exposes or tends to expose to hatred, ridicules, belittles or otherwise affronts the dignity of any person or class of persons on the basis of a prohibited ground [of discrimination]."

The Saskatchewan Human Rights Tribunal and Court of Queen's Bench found the flyers to be hateful and a contravention of section 14(1)(b), but the Saskatchewan Court of Appeal disagreed. The Supreme Court will consider the constitutionality of section 14(1)(b), and decide whether and to what extent this provision can limit the rights to freedom of expression and religion.

The Commission believes the impact of the Court's decision will extend far beyond the gay and lesbian community. It will set the direction Canadian society will take in defining the boundary between acceptable and unacceptable discourse, and will determine whether Canada continues on the road towards being a truly egalitarian, multi-cultural country where dissemination of hate towards any identifiable group – whether based on religious belief, race, colour, creed, gender, sexual orientation or disability – is not tolerated.



Legal Activities

Because of the broad ramifications of the Supreme Court's decision, there have been more than 20 applications for intervener status at the hearing, including applications by the Alberta, Canadian, Ontario, Northwest Territories and Yukon Human Rights Commissions. A number of faith-based, Aboriginal, and community-based organizations are also seeking to argue the need for limitations on extreme hate speech.

It has been 20 years since the Supreme Court last ruled on the appropriate balance between the right of an identifiable minority group to be free from hate and the guarantees of freedom of expression and religion. Its decision in *Whatcott* will provide guidance on what that balance should be in a modern world of instant, unfettered electronic communication and home printing.

Tribunal and Court Decisions

SEXUAL HARASSMENT DECISION UPHELD

Howard Johnson Inn (operated by Empire Investments) and John Pontes v. Saskatchewan Human Rights Tribunal, Saskatchewan Human Rights Commission and C.J., Saskatchewan Court of Queen's Bench, 14 September 2010

In October 2009, the Saskatchewan Human Rights Tribunal determined that John Pontes, Manager of the Howard Johnson Inn, discriminated against the 19-year-old complainant by sexually harassing her in the course of her application for employment. It ordered the respondents to pay the complainant \$2000 as compensation for injury to feelings, dignity and self-respect and to pay costs of \$1000.

The Saskatchewan Court of Queen's Bench dismissed the respondents' appeal of the Tribunal decision. With regard to the allegation that the Tribunal failed to provide the respondents with a fair hearing because it denied Mr. Pontes' request for an adjournment, the Court noted that Mr. Pontes had agreed to a hearing date and said he would be representing himself but then requested an adjournment less than five days before the hearing because the out-of-province lawyer he retained at the last moment was unavailable and unprepared. The Court found that the Tribunal had considered the factors relevant to the adjournment request and exercised its discretion fairly and reasonably.

APPLICATION TO QUASH HEARING BECAUSE OF DELAY

Ukrainian Museum of Canada of the Ukrainian Women's Association of Canada v. Saskatchewan Human Rights Commission, Saskatchewan Human Rights Tribunal and Demczuk, Saskatchewan Court of Queen's Bench, 30 April 2010

The complainant filed a human rights complaint on 21 March 2006 against her former employer, the Ukrainian Museum of Canada of the Ukrainian Women's Association of Canada (UMC), alleging that UMC had failed to accommodate her disability. On 6 September 2007, the Commission referred her complaint to the Saskatchewan Human Rights Tribunal for adjudication. However, the hearing was delayed several times because of health, scheduling and other issues.

On 25 March 2010, UMC applied to the Court of Queen's Bench for an order to quash the hearing on the grounds of inordinate delay. UMC argued that the delay had prejudiced its ability to defend itself because the health of a key witness had deteriorated to the point that she could no longer testify, and that the delay had also impaired UMC's operations and negatively affected it financially.

The Court stated that, for UMC to be successful in its application, it would have to establish inordinate delay plus prejudice flowing from the delay which would either affect its right to a fair hearing or amount to an abuse of process. It accepted the Commission's argument that it was impossible at that stage to determine whether UMC's right to a fair hearing had been prejudiced and agreed with the Commission that the Tribunal, not the Court, would be in the best position to determine what prejudice UMC had actually suffered. In dismissing UMC's application



Legal Activities

as being premature, the Court held that the complaint should proceed to a hearing where the Tribunal could address the issue of delay and its alleged prejudicial effect on UMC.

The complainant subsequently withdrew her complaint.

APPLICATION TO ADD EMPLOYER AS A RESPONDENT TO COMPLAINT AGAINST UNION

T.M. and A.P. v. Saskatchewan Government and General Employees' Union (SGEU) and Government of Saskatchewan (Ministry of Corrections, Public Safety and Policing), Saskatchewan Human Rights Tribunal, 9 November 2010

T.M. and A.P. filed complaints of sex discrimination against the Saskatchewan Government and General Employees' Union (SGEU), alleging that they were sexually harassed by a fellow union member on two occasions while on picket line duty during a strike and that SGEU had failed to prevent the harassment from occurring. After the Commission referred their complaints to a hearing before the Saskatchewan Human Rights Tribunal, SGEU applied to the Tribunal to add the complainants' employer – the Government of Saskatchewan, Ministry of Corrections, Public Safety and Policing (MCPSP) – to the complaints as a respondent.

The Tribunal noted that adding the employer as a respondent would require the complaints to be amended by adding allegations regarding workplace harassment. It also noted that the complainants had amicably resolved their workplace issues and were not interested in further proceedings against MCPSP. The Tribunal stated that it was not prepared to amend the complaints in light of the express positions of the Commission and the complainants, and dismissed SGEU's application on the basis that there was no point in adding the employer as a respondent unless the complaints were amended.

The Tribunal also dismissed the application on the basis that there was no reliable evidence upon which the Tribunal could make a finding of liability against the employer. In doing so, the Tribunal referred to the specific wording of the complaints which referred to specific incidents on a picket line, to the lack of evidence that the employer had any control over or involvement with activities on the picket line, to the lack of any references in the complaints to workplace harassment, and to the resolution by the complainants of their workplace issues.

Settlements by Legal Unit

The Commission encourages the negotiated settlement of complaints at all stages of the complaint process, up to and even during a formal hearing. In 2010-2011, the SHRC's Legal Unit settled one complaint after its referral to the Saskatchewan Human Rights Tribunal for adjudication, and another before the Chief Commissioner was required to decide upon such a referral. Both agreements were made without an admission of liability by the respondents.

BLIND PERSON WITH WORKING DOG RESTRICTED TO SMOKING ROOMS IN HOTEL

Conway v. Confederation Inn, operated by 101090588 Saskatchewan Ltd.

Thomas Alan Conway, a blind person, complained that the Confederation Inn in Saskatoon discriminated against him on the basis of his disability. He alleged that, when he attempted to book a room and told hotel staff he would be accompanied by a working dog, his choice of rooms was restricted to a smoking room in order to reduce the risk of allergies to other patrons. In settling the complaint, the respondent agreed to pay the complainant the amount of money he spent during his stay at the hotel, and to make donations of \$250 each to The Seeing Eye Organization and Guide Dog Users of Canada. The respondent also agreed to adopt and implement a detailed policy for its staff to observe when accommodating persons with disabilities who rely on working dogs for support. This policy can be viewed in its entirety in the document entitled "Guidelines for Accommodating Hotel Patrons with Service Animals" on the AccessAbility page of the SHRC's website at www.shrc.gov.sk.ca.



Legal Activities

LEGISLATION CHANGED TO RECOGNIZE SAME-SEX AND NON-BIOLOGICAL PARENTS

P.S. and K.W. v. Government of Saskatchewan (Ministry of Health/Registration and Vital Statistics)

P.S. and K.W. complained that the Ministry of Health discriminated against them on the basis of their sex and sexual orientation in the provision of public services through the operation of *The Vital Statistics Act, 1995*. The complainants are the same-sex parents of a child born in 2007. They allege that they requested the Ministry of Health's Department of Health Registration and Vital Statistics to register both of them on the Ministry's "Statement of Live Birth" as their child's parents but the Ministry denied their request on the basis that *The Vital Statistics Act, 1995* and its regulations allowed only the biological mother and a father to be recognized as parents. The complainants alleged that this restriction denied same-sex couples and their children the right of equal recognition as a family and denied non-biological parents the right of equal recognition as parents.

The respondents addressed this complaint by changing the definition of "parent" in *The Vital Statistics Act, 2009* to mean "a mother, father or other parent" and by defining "other parent" to mean in relation to a live birth "a person other than the mother or father who is cohabiting with the mother or father of the child in a spousal relationship at the time of the child's birth and who intends to participate as a parent in the upbringing of the child." A birth certificate was issued naming both complainants as the parents of their child, whose Registration of Live Birth was amended to include the particulars of both parents. The respondents also agreed to compensate the complainants for the legal fees which they incurred to confirm their status as the parents of their child.

Exemptions

Section 48 of *The Saskatchewan Human Rights Code* (the *Code*) gives the Chief Commissioner the authority to grant exemptions from the anti-discrimination provisions of the *Code* in situations where it is considered "necessary and advisable".

There were 15 exemption orders granted in 2010-2011 for a total of 166 active exemptions. Due to the development of a new exemption granting and renewal process, the Commission eliminated some orders that were no longer required by the applicant organizations.

New Exemption Orders

These summaries were chosen from the new exemption orders granted this fiscal year. They demonstrate the diverse nature of exemption applications to the Commission.

METHADONE ASSISTED RECOVERY PROGRAM – HIRING EXEMPTION

The Chief Commissioner granted the Saskatoon Health Region an exemption from sections 16 (employment) and 19 (forms, advertising) of the *Code*. The exemption allows the Saskatoon Health Region to preferentially advertise for and hire a male addictions worker. The decision was based on factors including: federal best practices that support the provision of gender-specific program services in certain instances; acknowledgement that some clients require male-specific services because of safety reasons, the law, past legal or boundary violations; and, the success of similar programming elsewhere in the Saskatoon Health Region. The associated union supported this exemption order.



Exemptions

BACHELOR OF SCIENCE IN NURSING PROGRAM - STUDENT SELECTION EXEMPTION

The Chief Commissioner granted this nursing program, as operated through collaboration between the University of Regina and SIAST, an exemption from sections 13 (education) and 19 (forms, advertising) of the Code. The exemption order allows the program to preferentially designate and fill program seats for persons of Aboriginal ancestry – 33 of 200 seats in Regina and 25 of 150 seats in Saskatoon. Some of the factors the Chief Commissioner considered in his decision include: the need to address the under-representation of Aboriginal nurses in the workforce, the desire to have Aboriginal nurses available to work with persons of Aboriginal ancestry and the general desire to have a workforce that reflects the population of Saskatchewan.

Extensions to Existing Exemption Orders

Existing exemption orders are reviewed from time-to-time to see: 1) if the organization still requires the exemption order; and 2) whether or not the Chief Commissioner still considers the exemption order to be "necessary and advisable".

PINE GROVE CORRECTIONAL CENTRE

This year the Commission reviewed an historical exemption order for the Pine Grove Correctional Centre, Saskatchewan's provincial correctional centre for women. The Commission conducted a thorough review and the Chief Commissioner ultimately extended the exemption order which allows Pine Grove Correctional Centre to recruit, hire and assign duties to corrections workers under the policies below.

Policies:

- (1) that skin searches on inmates of provincial corrections facilities be conducted by corrections workers of the same sex as the inmate who is being searched, unless exceptional and unusual circumstances exist;
- (2) that continuous observation of inmates who may be performing private bodily functions or who are in a state of undress, be conducted only by corrections workers of the same sex as the inmates being observed; and
- (3) that employment in any of the living, admitting or secure areas of provincial corrections facilities in which female inmates are held, be restricted to female corrections workers.

The Exemption Order does not allow the consideration of sex in assigning job tasks to corrections workers when the searching or observation of inmates may be necessary only infrequently or unexpectedly. In such situations Corrections and Public Safety is expected to provide such support as may be necessary to ensure, to the extent possible in a custodial setting, that the right to privacy of inmates is respected.

The Chief Commissioner indicated in his decision that:

This is a matter of competing rights. Female inmates have a right to inherent dignity and privacy, while male correctional workers have rights to equity in employment. Anti-discrimination protections in employment are not absolute. The policies adopted under this exemption order are necessary to protect the vulnerable female inmates at PGCC. The policies advance the broad goal of equality under the Code and outweigh the male correctional workers' employment rights.

The Saskatchewan Government Employees' Union has applied to judicially review the Chief Commissioner's decision.



Appendix A: Community Outreach & Partnerships

SHRC SEMINARS

Human Rights in the Workplace half-day seminars:

Saskatoon and Regina

Duty to Accommodate half-day seminars:

Saskatoon and Regina

EDUCATIONAL INSTITUTIONS & ORGANIZATIONS

Canadian Career Moves

Mechanical Industry Trades Careers

Northlands College

Nutana Collegiate, Saskatoon (4)

Regina Huda School

Saskatchewan Institute of Applied Sciences and
Technology – Saskatoon

Saskatoon Indian Institute of Technology

– Prince Albert campus

Saskatoon Business College

School of Physical Therapy

University of Regina, Faculty of Social Work

University of Regina, Disability Resource Office

University of Regina, Women's and Gender Studies

University of Saskatchewan, Working as an

Engineer in Saskatchewan (4)

University of Saskatchewan, Pride Centre

PROFESSIONAL BUSINESS & LABOUR ORGANIZATIONS

Canadian Union of Public Employees – Melville

Saskatchewan Construction Safety Association

– Saskatoon, Regina and Prince Albert

Saskatchewan Government Employees Union

Saskatchewan Registered Nurses Association

Vecima Networks (2)

EMPLOYERS & GOVERNMENT

City of Saskatoon (4)

Government of Canada, Labour Program – Saskatoon

Government of Saskatchewan, Information Services

Corporation – Saskatoon and Regina

Government of Saskatchewan, Public Service

Commission – Meadow Lake

Government of Saskatchewan, Disability Network (6)

Information Services Corporation (2)

Ministry of Corrections, Public Safety & Policing

– Paul Dojack Youth Centre

Saskatchewan Public Service Commission (3)

Staples Call Centre

COMMUNITY-BASED ORGANIZATIONS

Amnesty International – Regina (2)

Amnesty International – Saskatoon

Camp Firefly – Lumsden

International Women of Saskatoon (4)

Global Gathering Place

Hemophilia Society of Saskatchewan

Open Door Society of Saskatoon (5)

Radius Community Centre (3)

Regina Tenants Association

Saskatchewan Association of Community Living

Saskatoon Council on Aging

Saskatchewan Intercultural Association (5)

South Saskatchewan Independent Living Centre (2)

Iskwewuk E-Wichiwochik

Saskatchewan Intercultural Association (5)

Saskatoon Indian & Métis Friendship Centre

Street Culture Kidz (2)

CONFERENCES AND FORUMS

Aboriginal Government Employees Network (AGEN)

Canadian Association of Statutory Human Rights

Agencies (CASHRA)

Saskatoon Indian & Métis Friendship Centre,

Networking Luncheon

disAbility Expo (Saskatchewan Association

of Community Living) – Saskatoon

COMMUNITY OUTREACH

Federation of Saskatchewan Indian Nations (2)

GLBT Regina

Holocaust Memorial – Saskatoon

International Day for the Elimination of Racism –

Saskatoon Police Service Breakfast

International Human Rights Day (Regina & Saskatoon)

International Women's Day (Regina & Saskatoon)

Living in Harmony Awards, City of Saskatoon

Louis Riel Day – Saskatoon

Métis Festival – Regina

National Aboriginal Day (Regina & Saskatoon)

Opening Ceremonies, Cultural Diversity & Race

Relations Month, City of Saskatoon

Regina Pride

Spring Free From Racism – Regina

NATIONAL AFFILIATIONS

Amnesty International – Saskatoon and Regina (2)



Appendix B: Equity Sponsors

EMPLOYERS

Canadian Union of Public Employees
 City of Prince Albert
 City of Regina
 City of Saskatoon
 Community Health Services (Saskatoon) Association Ltd.
 Crown Investments Corporation
 Information Services Corporation of Saskatchewan
 John Howard Society of Saskatchewan
 Law Society of Saskatchewan
 MicroAge Regina
 Northlands College
 Parkland Regional College
 Prince Albert Co-operative Health Centre
 Regina Police Service
 Regina Public School Division
 Regina Women's Community Centre
 Saskatchewan Apprenticeship and Trade Certification Commission
 Saskatchewan Communications Network
 Saskatchewan Crop Insurance Corporation
 Saskatchewan Gaming Corporation
 Saskatchewan Government Employees Union
 Saskatchewan Government Insurance
 Saskatchewan Human Rights Commission
 Saskatchewan Institute of Applied Science & Technology (SIAT)
 Saskatchewan Legal Aid Commission
 Saskatchewan Liquor and Gaming Authority
 Saskatchewan Opportunities Corporation
 Saskatchewan Public Service Commission
 Saskatchewan Research Council
 Saskatchewan Teachers' Federation
 Saskatchewan Transportation Company
 Saskatchewan Water Corporation
 Saskatchewan Watershed Authority
 Saskatchewan Workers' Compensation Board
 Saskatoon Police Service
 SaskEnergy
 SaskPower
 SaskTel
 University of Regina
 University of Saskatchewan

DATE APPROVED

July 1989
 May 1997
 February 1987
 February 1987
 June 1996
 March 1995
 November 2004
 June 1996
 November 1999
 March 2009
 September 1995
 March 2002
 October 1991
 March 1992
 March 1994
 March 1998
 March 2006
 February 1996
 May 1997
 January 1999
 November 1988
 February 1984
 January 1980
 March 2001
 March 1994
 January 1999
 November 1996
 June 1987
 December 1992
 January 1991
 August 1994
 August 1994
 August 1994
 February 2006
 October 2002
 March 1994
 August 1995
 October 1992
 October 1997
 September 1992

PRE-KINDERGARTEN TO GRADE 12 SCHOOL DIVISIONS

Good Spirit
 Greater Saskatoon Catholic Schools
 Holy Trinity RCSSD
 Horizon
 Île-à-la-Crosse

Living Sky
 Lloydminster RCSSD
 North West RCSSD
 Northern Lights
 Prairie Valley

Prince Albert RCSSD
 Regina RCSSD
 Saskatchewan Rivers
 Saskatoon
 South East Cornerstone

(Approval dates are not given in this section, because the boundaries of many school divisions have been changed by the process of amalgamation.)



TABLE 1: Summary of Complaints Received April 1, 2010 to March 31, 2011 by Ground and Category

Total number of
complaints filed in
2010 / 2011 was:

185

CATEGORY	Age	Aboriginal Ancestry	Other Ancestry ¹	Marital Status	Mental Disability	Physical Disability	Religion ²	Sexual Harrassment	Sex / Other	Sex / Pregnancy	Family Status	Sexual Orientation	Public Assistance	N/A	Retaliation	TOTAL GROUNDS	GROUNDS CITED
Application Forms	1	0	2	0	0	0	0	0	0	0	1	0	0	0	0	1	0.4%
Bill of Rights	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	0.4%
Contracts	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Education	0	0	2	0	0	2	0	0	0	0	0	0	0	0	0	4	1.6%
Employment	8	8	41	4	4	71	5	20	8	17	5	5	0	0	0	196	76.0%
Housing	0	2	16	0	0	3	0	0	0	1	1	0	0	1	0	24	9.3%
Occupations	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0.8%
Prof. & Trade Assoc.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Public Services	3	1	6	0	1	11	0	0	4	1	1	0	0	0	0	28	10.9%
Publications	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Purchase of Property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Reprisals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Trade Unions	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	2	0.8%
N/A	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0.0%
TOTAL GROUNDS	14	11	65	6	5	87	5	20	12	19	7	5	0	2	0	258	100%
% Grounds Cited	5.4%	4.3%	25.2%	2.3%	1.9%	33.7%	1.9%	7.8%	4.7%	7.4%	2.7%	1.9%	0.0%	0.8%	0.0%		
% Total Complaints	7.6%	5.9%	35.1%	3.2%	2.7%	47.0%	2.7%	10.8%	6.5%	10.3%	3.8%	2.7%	0.0%	1.1%	0.0%		

NOTE: Some complaints allege several kinds of discrimination. For this reason, the total number of grounds cited (258) exceeds the total number of complaints filed.

¹ Other Ancestry includes colour, nationality, place of origin and perceived race.

² Religion includes creed.



TABLE 2: Files Opened and Closed

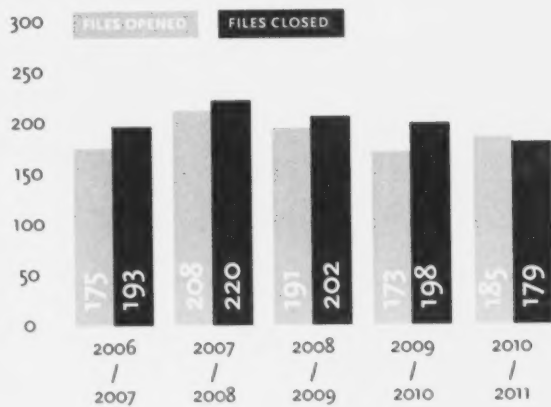


TABLE 3: Processing of Complaints

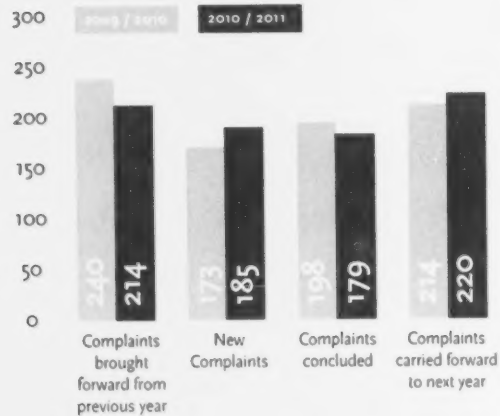


TABLE 4: Disposition of Complaint Files

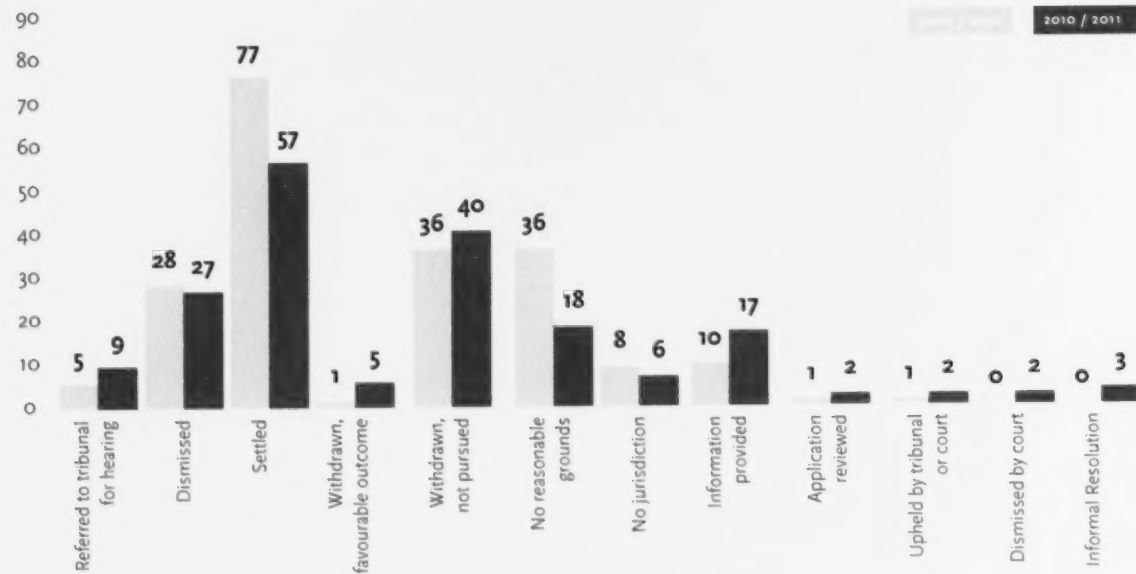


TABLE 5: Finances

In 2010 - 2011, the Commission had an approved budget of \$1,769,000 and a staff of 20.3 full-time equivalents (FTEs)

	2006 - 2007	2007 - 2008	2008 - 2009	2009 - 2010	2010 - 2011
FTEs	20.3	20.3	20.3	20.3	20.3
Salaries, benefits and honouraria	\$1,382,000	\$1,477,000	\$1,564,000	\$1,635,000	\$1,635,000
Operating Expenses	\$157,000 ^a	\$132,000	\$133,000	\$134,000	\$134,000
Total	\$1,539,000	\$1,609,000	\$1,697,000	\$1,769,000	\$1,769,000

^a includes \$17,000 for the CASHRA conference



Commission Staff

The work of the Commission is carried out by its professional human rights staff. In 2010-2011, the Commission had the equivalent of 20.3 full-time employees, including individuals who worked on a full-time, part-time, casual or temporary basis.

SASKATOON

Laurie Adrian Rude – Investigator
Jan Cadman – Legal Secretary
Linda Charlton – Education & Equity Advisor
Dianne Jones – Reception Secretary
Lewanna Dubray – Investigator/Facilitator
Janice Gingell – Senior Staff Solicitor
Chantelle Johnson – Policy Analyst & Researcher
Ryan Kennedy – Investigations Secretary
Genevieve Leslie – Supervisor of Public & Special Programs
Andrew Livingston – Investigator
*Marci Macomber – Investigator/Facilitator
Lorraine Pura – Education & Equity Advisor
Bill Rafoss – Supervisor of Mediations & Investigations
Carol Riekman – Investigator/Facilitator
Brenda Rorke – Human Resources Coordinator
Karen Ross – Commission Secretary
Sonne Udemgba – Investigator/Facilitator
Kathy Upton – Intake Consultant

REGINA

Grace Ahl – Reception Secretary
Holly Bressler – Investigator
Laurena Daniels – Intake Consultant
Lisa Donovan – Reception Secretary
Sue Lake – Budget Coordinator
Rebecca McLellan – Manager of Operations
Robin McMillan – Investigator/Facilitator
Heather Monus – Education & Equity Advisor
Reginald Newkirk – Education & Equity Advisor
Julie Powell – Investigator/Facilitator

* On leave

